

INTERFERENCE DIGEST

Interference No.

105,059

Paper No. 22

Name: James A. Hoxie

Serial No.: 08/882,435

Patent No. 5,994,515, granted 11/30/99

Title: ANTIBODIES DIRECTED AGAINST CELLULAR CORECEPTORS FOR HUMAN
IMMUNODEFICIENCY VIRUS AND METHODS OF USING THE SAME

Filed: 06/25/97

Interference with Li et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, Adverse Dated, 8/5/03

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 23

Filed by: Merits Panel
Board of Patent Appeals and Interferences
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
Tel: 703-308-9797
Fax: 703-305-0942

Filed
5 August 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

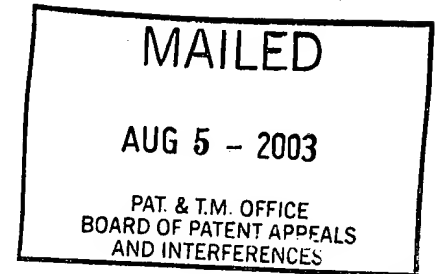
JAMES A. HOXIE,

Junior Party¹
(Patent No. 5,994,515),

v.

YI LI
and STEVEN M. RUBEN,

Senior Party²
(Application No. 09/339,912).



Patent Interference 105,059 (NAGUMO)

Before: LEE, TIERNEY, and NAGUMO, Administrative Patent Judges.
NAGUMO, Senior Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Upon consideration of the REQUEST BY HOXIE UNDER 37 CFR
§ 1.662 (Paper 22), it is

ORDERED that judgment on priority as to Count 1, the

¹ Hoxie has been accorded benefit for priority of its filing date, June 25, 1997.

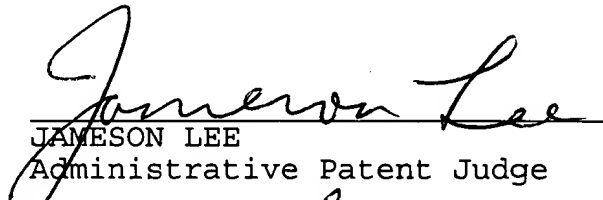
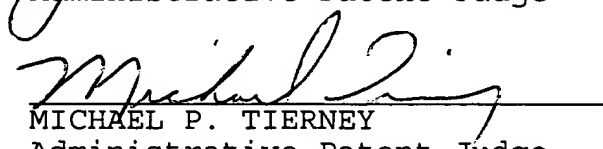
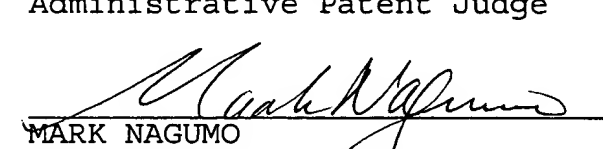
² Li has been accorded benefit for priority of parent application 08/466,343 (filed June 6, 1995, now U.S. Patent No. 6,025,154).

sole count in the interference, is awarded against junior party HOXIE.

FURTHER ORDERED that junior party HOXIE is not entitled to a patent containing claims 1-5, 7, and 8 (corresponding to Count 1)³ of patent 5,994,515.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 09/339,912 and U.S. Patent 5,994,515.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

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|---|---|---|
|  JAMESON LEE Administrative Patent Judge |) | |
|  MICHAEL P. TIERNEY Administrative Patent Judge |) | BOARD OF PATENT APPEALS AND INTERFERENCES |
|  MARK NAGUMO Administrative Patent Judge |) | INTERFERENCE TRIAL SECTION |

³ The statement that Hoxie's claims 6 and 8 do not correspond to the count (Paper 1 at 5) contains a typographical error: claim 8 corresponds to the count; claim 9 does not correspond to the count.

cc (via facsimile and First Class Mail):

Attorney for Hoxie

(Real party in interest, Trustees of the University of Pennsylvania)

Paul N. Kokulis, Esq.
Kathryn Doyle Leary, Esq.
Erich E. Veitenheimer, Esq.
MORGAN LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave, N.W.
Washington, DC 20004

Tel: 202-739-3000
Fax: 202 739-3001

Attorney for Li

(Real party in interest, Human Genome Sciences, Inc.)

Jorge A. Goldstein, Esq.
Helene C. Carlson, Eric K. Steffe, Esq.
STERNE KESSLER GOLDSTEIN & FOX PLLC
1100 New York Ave N.W.
Washington, DC 20005

Tel: 202-371-2600
Fax: 202-371-2540